

Appl. No. : 10/534,186
Amdt. Dated: June 30, 2008
Reply to Office Action of April 8, 2008

To the Drawings:

Please accept the attached "Replacement Sheets" for FIGS. 1 – 4 of the present application. The figures have been corrected to address the objections set forth in the "Draftsman's Review" sent in response to the initial application filing and reiterated in the current Office Action.

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REMARKS

Claims 1 – 12, 15 and 16 were previously pending in the present application. No claims have been added, cancelled or withdrawn by this paper, leaving Claims 1 – 12, 15 and 16 pending and at issue. Applicants respectfully request reconsideration of the current rejections of the claims, as well as the objections to the specification and drawings, in view of the following arguments.

Specification:

The title of the present application has been objected to as “not descriptive.” Accordingly, the title has been amended to address and overcome this objection. Withdrawal of the objection is respectfully requested.

Drawings:

Figures 1 – 4 were previously objected to in a Draftsman’s report for poor lines and illegible reference numbers. Applicant have attached hereto two “Replacement Sheets” for Figures 1 – 4. The drawings have not been changed in any way except to improve the quality of the lines and reference numbers. Withdrawal of the objection is respectfully requested.

Figure 5 has been accepted for examination purposes in the present application. Accordingly, no new drawing of Figure 5 is included.

Claims:

Claims 1 – 4, 8, 9 and 12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,753,619 to Stevenson et al. (hereafter “Stevenson”) in view of U.S. Published Application No. 2002/0060505 to Kawamura (hereafter “Kawamura”). Claims 5 – 7, 10, 11, 15 and 16 stand rejected under 103(a) as set forth above, but in further view of one of the following: U.S. Patent No. 6,172,435 to Tanaka, U.S. Patent No. 5,739,609 to

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Ueyama et al., U.S. Patent No. 6,163,097 to Smith et al., or Published International Application No. WO 97/45935 to Jeijon.

Applicants contend the rejections are based upon a misunderstanding of the present claims and/or a mischaracterization of the cited references. Accordingly, reconsideration of the pending claims is respectfully requested. The previous rejection of the claims was based primarily on U.S. Patent No. 6,069,424 to Colello (hereafter "Colello"). The current action contends that the arguments distinguishing the claims over Colello "have been considered but are moot in view of the new ground of rejection."

In large part, the current rejection is merely a restatement of the prior rejection substituting Stevenson for Colello. However, Stevenson provides no more of a teaching of the relevant features of the claimed invention than did Colello. As the Examiner has obviously acquiesced in the arguments to distinguish over Colello, such arguments should be equally applicable in distinguishing over Stevenson. As Stevenson is the primary reference employed in the current rejection, all Claims should be in condition for allowance.

As discussed throughout the specification and recited in Claim 1, the present concept is directed to the synergistic effects achieved for a power system for a vehicle driving system. For example, the synergistic effect results in a system where the flywheel can be energized and de-energized with high efficiency when high power supply is available and when high power is required, respectively, such as for heavy braking and acceleration. Additionally, the system permits the flywheel to be energized and de-energized with high efficiency when low power supply is available and when low power is required, such as for charging and discharging the battery. There is nothing in either Stevenson or Kawamura to suggest such synergistic results.

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Therefore, one skilled in the art would not combine the references as suggested by the Office Action.

The proposed combination is also improper. Kawamura is directed to a generator suitable for relatively lower voltage ranges, such as 12-24V and 100-200V. Such voltage levels would be suitable for powering vehicle appliances, such as the automatic electronic equipment and auxiliaries in the vehicle at a lower to moderate voltage. The generator in Kawamura would not be suitable for powering a flywheel at the high voltage levels necessary in the system.

Additionally, Kawamura is directed to a device designed to operate solely as a generator. Thus, the generator in Kawamura is not suitable to energize and de-energize a flywheel at any voltage, let alone at the high voltage, as necessary. Therefore, the combination of Kawamura with Stevenson is improper.

Moreover, the proposed combination would not result in the claimed features recited in Claim 1, as suggested by the Office Action. The cited references do not disclose nor render obvious each and every element of the claimed invention as required. In view of the above, the rejection of Claim 1, as well as dependent Claims 8 and 9, should be withdrawn and the claims allowed.

Claims 2 – 12, 15 and 16 depend from and add additional features to that of independent Claim 1. As discussed above, each of Stevenson and Kawamura, taken alone or in combination, fails to disclose or suggest the features recited in independent Claim 1. The remaining cited references fail to overcome the deficiencies found in both Stevenson and Kawamura. Therefore, the rejections of Claims 2 – 12, 15 and 16 should be withdrawn and the claims allowed.

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Reconsideration of the rejections, in light of the aforesaid remarks, is respectively requested. Applicant contends that all pending claims of the present application are in proper condition for allowance.

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CONCLUSION

Applicant contends that all claims are in condition for allowance. Applicant requests that, should the Examiner maintain the present rejections, the present amendments be entered to place the application in better condition for appeal.

Should any formalities remain which can be corrected by Examiner's amendment, Applicant requests that the undersigned be contacted by phone in order to expedite the prosecution of the present case.

Respectfully submitted,

By 

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